

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION
IN ADMIRALTY**

IN THE MATTER OF KRISTINE RAY, AS
OWNER OF A 2007 TAHOE BY TRACKER 204
DECK BOAT, HIN BUJC64TXA707, FOR
EXONERATION FROM OR LIMITATION OF
LIABILITY

SANDRA PARAG AS THE PERSONAL
REPRESENTATIVE OF THE ESTATE OF COREY
A. PARAG,

Third-Party Plaintiff,

v.

JOHN KODY RAY, SOCO HOLDINGS, LLC D/B/A
THE LANDING AT THE BOATHOUSE, SOCO
INVESTMENTS, INC. D/B/A THE LANDING AT
THE BOATHOUSE, AND LULUS DONUTS LLC
D/B/A THE LANDING AT THE BOATHOUSE

THIRD-PARTY DEFENDANTS

Case No. 4:21-cv-02839

ORDER

Before the Court is Limitation Plaintiff Kristine Ray's (hereinafter, the "Limitation Plaintiff"), Motion for Entry of Judgment of Exoneration by Default against non-appearing parties and non-asserted claims (hereinafter, respectively, the "Defaulted Parties" and the "Defaulted Claims"). (D.E. No. 58). The Limitation Plaintiff asks this Court to enter a default judgment against the Defaulted Parties and Defaulted Claims. For the reasons set forth below, the motion is **GRANTED**.

BACKGROUND

1. The Limitation Plaintiff filed her Complaint in Admiralty for Exoneration from or Limitation of Liability pursuant to the Limitation of Liability Act, 46 U.S.C. §§30501 *et seq.*, claiming the right of exoneration from or limitation of liability for any injuries, damages, or losses of whatever description arising out of her ownership of the Limitation Vessel and an accident that occurred on or about April 11, 2021, on the Intracoastal Waterway in Horry County, South Carolina, (hereinafter, the “Voyage”). (D.E. No. 1).

2. On September 7, 2021, the Limitation Plaintiff filed her Motion to Approve Security and for Publication and Stay. (D.E. No. 5).

3. On September 23, 2021, the Court entered its Orders Accepting Security, (D.E. No. 6), and for Publication and Stay, (D.E. No. 7), (hereinafter, the “Publication Order”). The Publication Order directed potential claimants to file their claims with the Clerk of this Court, in the United States District Court for the District of South Carolina and serve on or mail to the Limitation Plaintiff’s counsel a copy thereof on or before November 3, 2021 or be defaulted. (D.E. No. 7 at 2). The Publication Order also directed the Limitation Plaintiff to publish the notice specified in the Publication Order in the *Horry Independent* once per week for four consecutive weeks before November 3, 2021, and to mail a copy of the Notice and other required papers to every person known to have made or who may make a claim arising out of the Voyage no later than the day of the second publication. *See id.*

4. The Limitation Plaintiff followed the Publication Order and complied with Supplemental Rules F(4) and F(6). *See* Notice of Compliance with Rule F(4) and (6), (D.E. No. 18).

5. The deadline for receipt of claims and answers was November 3, 2021. No claimants other than Sandra Parag, as Personal Representative of the Estate of Corey A. Parag, have come forth.

6. On March 14, 2022, the Limitation Plaintiff submitted her Request for Entry of Clerk's Default pursuant to Federal Rules of Civil Procedure 55(a). (D.E. No. 31).

7. On June 24, 2022, the Clerk of Court issued a Clerk's Entry of Default against all non-appearing parties (hereinafter, the "Defaulted Parties") and non-asserted claims (hereinafter, the "Defaulted Claims"). (D.E. No. 54).


CONCLUSION

NOW THEREFORE FINDING that no party other than Sandra Parag, as Personal Representative of the Estate of Corey A. Parag, has come forth and asserted a Claim in this Court as required under this Court's Order, default judgment against the Defaulted Parties and the Defaulted Claims is proper pursuant to Rule 55(b).

The Court GRANTS the Limitation Plaintiff's motion, (D.E. 58), and ORDERS that default judgment of exoneration be and hereby is entered against Defaulted Parties and the Defaulted Claims against either the Limitation Plaintiff or the Limitation Vessel arising from the Voyage, except the Claims asserted by Sandra Parag, as Personal Representative of the Estate of Corey A. Parag.

AND IT IS SO ORDERED.

November 8, 2022
Florence, South Carolina


Joseph Dawson, III
United States District Judge